

REMARKS

Upon entry of the above amendments, claims 14-44 will be pending in this application.

Original claims 1-13 are canceled and new claims 14-44 are submitted to more clearly define the inventions set forth in original claims 1-13. In particular, new independent claims 14 and 29 corresponding to original claims 1 and 12 define the concentrations of the silicone gum and the antiblocking agent of the heat-sealable layer. Moreover, new claims 14 and 29 provide that the heat-sealable films of the present invention have specifically defined force over forming collar and hot slip values properties. New claims 31-44 are submitted to more particularly define the laminate film structures of the present invention.

Rejections Under 35 U.S.C. Section 102

On pages 2-4 of the Office Action, original claims 1-13 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,074,762 to Cretekos et al. The rejection of all claims is based upon the premise that the film of the Cretekos patent is inherently heat sealable. Cretekos discloses and claims the broad concept of a block-resistant film incorporating silicone gum, regardless of the properties of the film. The present application discloses and claims a specific advancement within the category of films incorporating a silicone gum. Specifically, the present claims are directed to a heat-sealable film having specific force over forming collar and hot slip properties. For purposes of evaluating patentability, Applicants are entitled to consideration of every feature of their claimed invention. Anticipation under 35 U.S.C. Section 102 requires disclosure, in a single piece of prior art, of each and every limitation found in the claims at issue. *See, Rockwell International Corp. vs. United States*, 147 F.3d 1358, 1363 (Fed. Cir. 1998).

Cretekos reference fails to disclose the specifically claimed force over forming collar and hot slip properties set forth in the current claims. Therefore, for the sole reason that the newly submitted claims recite a heat sealable film having these specific properties, the Cretekos reference fails to establish a *prima facie* anticipation case under Section 102.

Obviousness Type Double Patenting Rejections

On pages 4-5 of the Office Action, original claims 1-5 and 9 were rejected under the doctrine of obviousness-type double patenting over U.S. Patent 6,074,762. Filed with this Response is a Terminal Disclaimer disclaiming the term of any patent issuing from the present application that would extent beyond the term of U.S. Patent 6,074,762. No further response is considered necessary.


Conclusion

Consistent with the foregoing, Applicant's claims 14-44 are believed to be in condition for allowance. Entry of these new claims and issuance of an early Notice of Allowance of all claims are earnestly solicited.

It is believed that this amendment is fully responsive to the outstanding Office Action. However, should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number listed below so that all matters may be expeditiously resolved.

Respectfully submitted,

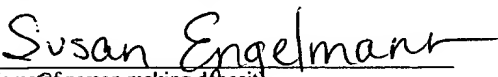
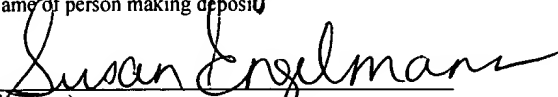
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14. (New) A coextruded, heat-sealable film structure, comprising:

(a) a core layer comprising a thermoplastic polymer, the core layer having a first side and a second side;

(b) a functional layer on the first side of the core layer, wherein the functional layer is selected from the group consisting of a laminating layer, a printable layer, a laminating and a printable layer, and a sealable layer;

(c) a heat-sealable layer on the second side of the core layer comprising (i) a thermoplastic polymer and (ii) a slip system comprising a silicone gum present in amount from about 0.2 wt. % to about 2.0 wt. % of the heat-sealable layer and at least one antiblocking agent present in an amount from about 0.05 wt. % to about 0.5 wt. % of the heat-sealable layer; and

(d) wherein the heat-sealable film structure has a force over forming collar value of less than 20 pounds and a hot slip value of less than 20 at 290° C.

15. (New) The coextruded, heat-sealable film structure of claim 14, wherein the core layer has a polymeric matrix selected from the group consisting of a propylene homopolymer, a propylene copolymer, and a polyethylene.

16. (New) The coextruded, heat-sealable film structure of claim 14, wherein the antiblocking agent is a particulate antiblocking agent having an average particle size of from about 1 to about 5 μm .

17. (New) The coextruded, heat-sealable film structure of claim 14, wherein the core layer has a polymeric matrix selected from the group consisting of a ethylene propylene copolymer, propylene butylene copolymer, and a high density polyethylene.

18. (New) The coextruded, heat-sealable film structure of claim 15, wherein the silicone gum has a viscosity in the range of 10 to 20 million centistokes.

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19. (New) The coextruded, heat-sealable film structure of claim 15, wherein the core layer further comprises an additive selected from the group consisting of a natural hydrocarbon additive, a synthetic hydrocarbon additive, a cavitating agent, an antistatic agent, and mixtures thereof.
20. (New) The coextruded, heat-sealable film structure of claim 15, wherein the functional layer further comprises at least one antiblock additive.
21. (New) The coextruded, heat-sealable film structure of claim 15, wherein the surface of the functional layer is flame treated or corona treated and the surface of the heat-sealable layer is untreated.
22. (New) The coextruded, heat-sealable film structure of claim 15, wherein the thermoplastic polymer of the heat-sealable layer is selected from the group consisting of an ethylene-propylene random copolymer, a propylene-butylene random copolymer, an ethylene-propylene-butylene terpolymer, a linear low density polyethylene, a low density polyethylene, a metallocene-catalyzed polyethylene, an ethylene vinyl acetate, an ethylene-methyl acrylate, an ionomer, and blends thereof and the functional layer has a polymeric matrix selected from the group consisting of a propylene polymer, an ethylene-propylene block copolymer, a high density polyethylene, an ethylene vinyl alcohol copolymer, an ethylene-propylene random copolymer, a propylene-butylene copolymer, an ethylene-propylene-butylene terpolymer, a medium density polyethylene, a linear low density polyethylene, an ethylene vinyl acetate, an ethylene-methyl acrylate, and blends thereof.
23. (New) The coextruded heat-sealable layer of claim 17 wherein the thermoplastic polymer of the heat-sealable layer is selected from the group consisting of a propylene-butylene random copolymer, a metallocene catalyzed polyethylene, an ethylene vinyl acetate, and an ethylene-methyl acrylate, an ionomer, and blends thereof.

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24. (New) The coextruded heat-sealable layer of claim 23 wherein the functional layer comprises a material selected from the group consisting of an ethylene vinyl alcohol copolymer, a propylene-butylene copolymer, an ethylene vinyl acetate, an ethylene-methyl acrylate, and blends thereof.
25. (New) The coextruded, heat-sealable film structure of claim 23, wherein the antiblocking agent is selected from the group consisting of cross linked silicone resin powder, methyl methacrylate resin powder, a spherical silica powder, and blends thereof.
26. (New) The coextruded heat-sealable film of claim 17 wherein the core layer comprises a cavitating agent selected from the group consisting of polybutylene terephthalate, calcium carbonate, and blends thereof.
27. (New) The coextruded, heat-sealable film structure of claim 17, wherein the core layer is from about 5 to about 50 μm thick, the functional layer is from about 0.25 to about 3.0 μm thick, and the heat-sealable layer is from about 0.5 to about 7 μm thick.
28. (New) The coextruded, heat-sealable film structure of claim 17, wherein the core layer is free of an antistatic agent and a fatty acid amide slip additive.
29. (New) A laminate film structure comprising a first film laminated to a second film, wherein the first film is a heat-sealable film structure comprising:
- (a) a core layer comprising a thermoplastic polymer, the core layer having a first side and a second side;
 - (b) a functional layer on the first side of the core layer, wherein the functional layer is selected from the group consisting of a laminating layer, a printable layer, a laminating and a printable layer, and a sealable layer;
 - (c) a heat-sealable layer on the second side of the core layer comprising (i) a thermoplastic polymer and (ii) a slip system comprising a silicone gum present in amount from

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about 0.2 wt. % to about 2.0 wt. % of the heat-sealable layer and at least one antiblocking agent present in an amount from about 0.05 wt. % to about 0.5 wt. % of the heat-sealable layer; and

(d) wherein the heat-sealable film structure has a force over forming collar value of less 20 pounds and a hot slip value of less than 20 at 290° C.

30. (New) The laminate film structure of claim 29 wherein the second film is comprised of the same structure as the first film.

31. (New) The laminate film structure of claim 29 wherein the core layer has a polymeric matrix selected from the group consisting of a propylene homopolymer, a propylene copolymer, and a polyethylene.

32. (New) The laminate film structure of claim 29 wherein the antiblocking agent is a particulate antiblocking agent having an average particle size of from about 1 to about 5 μm .

33. (New) The laminate film structure of claim 29 wherein the core layer has a polymeric matrix selected from the group consisting of a ethylene propylene copolymer, propylene butylene copolymer, and a high density polyethylene.

34. (New) The laminate film structure of claim 31 wherein the silicone gum has a viscosity in the range of 10 to 20 million centistokes.

35. (New) The laminate film structure of claim 31 wherein the core layer further comprises an additive selected from the group consisting of a natural hydrocarbon additive, a synthetic hydrocarbon additive, a cavitating agent, an antistatic agent, and mixtures thereof.

36. (New) The laminate film structure of claim 31 wherein the functional layer further comprises at least one antiblock additive.

37. (New) The laminate film structure of claim 31 wherein the surface of the functional layer is flame treated or corona treated and the surface of the heat-sealable layer is untreated.

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38. (New) The laminate film structure of claim 31 wherein the thermoplastic polymer of the heat-sealable layer is selected from the group consisting of an ethylene-propylene random copolymer, a propylene-butylene random copolymer, an ethylene-propylene-butylene terpolymer, a linear low density polyethylene, a low density polyethylene, a metallocene-catalyzed polyethylene, an ethylene vinyl acetate, an ethylene-methyl acrylate, an ionomer, and blends thereof and the functional layer has a polymeric matrix selected from the group consisting of a propylene polymer, an ethylene-propylene block copolymer, a high density polyethylene, an ethylene vinyl alcohol copolymer, an ethylene-propylene random copolymer, a propylene-butylene copolymer, an ethylene-propylene-butylene terpolymer, a medium density polyethylene, a linear low density polyethylene, an ethylene vinyl acetate, an ethylene-methyl acrylate, and blends thereof.

39. (New) The laminate film structure of claim 33 wherein the thermoplastic polymer of the heat-sealable layer is selected from the group consisting of a propylene-butylene random copolymer, a metallocene catalyzed polyethylene, an ethylene vinyl acetate, and an ethylene-methyl acrylate, an ionomer, and blends thereof.

40. (New) The laminate film structure of claim 39 wherein the functional layer comprises a material selected from the group consisting of an ethylene vinyl alcohol copolymer, a propylene-butylene copolymer, an ethylene vinyl acetate, an ethylene-methyl acrylate, and blends thereof.

41. (New) The laminate film structure of claim 39 wherein the antiblocking agent is selected from the group consisting of cross linked silicone resin powder, methyl methacrylate resin powder, a spherical silica powder, and blends thereof.

42. (New) The laminate film structure of claim 33 wherein the core layer comprises a cavitating agent selected from the group consisting of polybutylene terephthalate, calcium carbonate, and blends thereof.

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43. (New) The laminate film structure of claim 33 wherein the core layer is from about 5 to about 50 μm thick, the functional layer is from about 0.25 to about 3.0 μm thick, and the heat-sealable layer is from about 0.5 to about 7 μm thick.
44. (New) The laminate film structure of claim 33 wherein the core layer is free of an antistatic agent and a fatty acid amide slip additive.